



Dkt. 43966-CA-PG 2/2004 US/JPW/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway et al.
Serial No.: 09/412,284 Examiner: J.S. Parkin
Filed: October 5, 1999 Group Unit: 1648
For: METHODS FOR USING RESONANCE ENERGY TRANSFER-BASED
ASSAY OF HIV-1 ENVELOPE GLYCOPROTEIN-MEDIATED
MEMBRANE FUSION, AND KITS FOR PRACTICING SAME

1185 Avenue of the Americas
New York, New York 10036
June 2, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Examiner mailed December 2, 2003 finally rejecting pending claims 15-17 in connection with the above-identified application. The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(b) is ONE HUNDRED AND SIXTY-FIVE DOLLARS (\$165.00) for a small entity and a check for this amount is enclosed.

Applicants are concurrently filing herewith a request for a three-month extension of time, making this application pending today, i.e., June 2, 2004. Accordingly, this Notice of Appeal is being timely filed.

06/07/2004 MAHMEDI 00000134 09412284

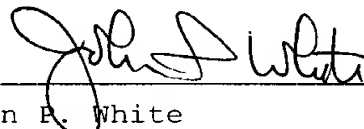
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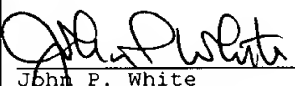
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No fee, other than the enclosed \$165.00 fee for filing a Notice of Appeal, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents P.O. Box 1450, Alexandria VA 22313-1450	
 John P. White Reg. No. 28,678	6/2/04 Date